

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF MINNESOTA**

In RE:

ARROYO, JOSE GUADALUPE,
ARROYO, MARIA SILVESTRE,
Debtors.

Case No.: 03-61286
Chapter 7

MOTION TO COMPEL TURNOVER OF ESTATE PROPERTY

TO: The United States Bankruptcy Court, the United States Trustee, the Debtors, the Debtors' attorney, and all parties who requested notice under Bankruptcy Rule 2002.

1. David G. Velde moves the court for the relief requested below and gives notice of hearing.
2. The court will hold a hearing on this motion on September 29, 2004, at 10:00 a.m., US Bankruptcy Court, 204 U.S. Courthouse, 118 South Mill Street, Fergus Falls, Minnesota, or as soon thereafter as counsel can be heard.
3. Any response to this motion must be filed and served not later than September 20, 2004, at 10:00 a.m., which is seven days before the time set for the hearing (excluding Saturdays, Sundays, and legal holidays), or filed and served by mail not later than September 15, 2004, which is ten days before the time set for the hearing (excluding Saturdays, Sundays, and legal holidays). **UNLESS A RESPONSE OPPOSING THE MOTION IS TIMELY FILED, THE COURT MAY GRANT THE MOTION WITHOUT A HEARING.**
4. This court has jurisdiction over this motion pursuant to 28 U.S.C. §§157 and 1334. This proceeding is a core proceeding. The petition commencing this chapter 7 case was filed on October 7, 2003. The case is now pending in this court.
5. This motion arises under 11 U.S.C. § 542. This motion is filed under Fed. R. Bankr. P. 9014 and Local Rules 6072-1. Movant requests the turnover of certain property specifically, \$600 garnished by Ford Motor Credit within 90 days of the debtors' bankruptcy filing.

6. That the garnished funds are not the subject of any reported collateral interest in the petition and are not eligible nor are they characterized as exempt under Schedule C.
7. Despite demand for surrender of same the Trustee has not received these items.

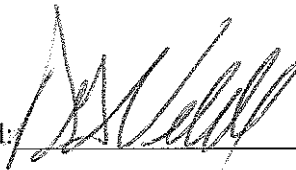
Wherefore, David G. Velde moves the court for an order directing the turnover of the assets and for such further relief that may be just and equitable.

Verification. I, David G. Velde, the moving party named in the foregoing notice of hearing and motion, declare under penalty of perjury that the foregoing is true and correct according to the best of my knowledge, information and belief.

Executed on

8/17/04.

Signed: _____



David G. Velde, Trustee
1118 Broadway
Alexandria, MN 56308
(320) 763-6561

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ORDER

David G. Velde, the Trustee in this matter, filed a Motion to Compel the Turnover of Estate Property. The motion was set for hearing on September 29, 2004, at 10:00 a.m. The Court does, based upon the record arising from said motion, order that:

The Trustee's Motion to Compel the Turnover of Estate Property is sustained and that Ford Motor Credit is hereby ordered to deliver to the Movant the following specific property: \$600 garnished by Ford Motor Credit within 90 days of the debtors' bankruptcy filing.

Dated:

Judge Dennis D. O'Brien
US Bankruptcy Court

STATE OF MINNESOTA)
) ss.
COUNTY OF DOUGLAS)

Julie A. Dolman, of the City of Alexandria, County of Douglas, in the State of Minnesota, being duly sworn, says that on the 17th day of August, 2004, she served the attached Motion to Compel Turnover of Estate Property and proposed Order, by electronically filing with:

US Bankruptcy Court
204 PO Building
118 S. Mill Street
Fergus Falls MN 56537

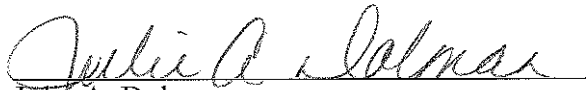
and mailing to a copy thereof, enclosed in an envelope, postage prepaid, and by depositing same in the post office at Alexandria, Minnesota, directed to said at:

Habbo G. Fokkena
US Trustee
1015 US Courthouse
300 South Fourth Street
Minneapolis, MN 55415

Shawn L. Autrey
Attorney at Law
301 North Third Street, Second Floor
Grand Forks, ND 58203

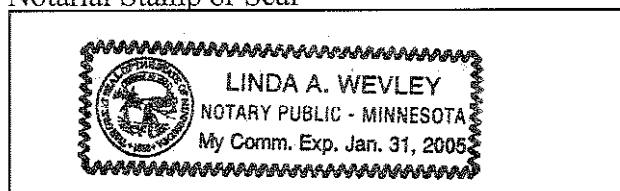
Jose and Maria Arroyo
736 Hunter Street
Crookston, MN 56716

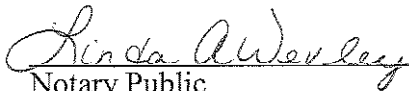
Ford Motor Credit
Central Bankruptcy Department
Attn: Legal Department
P.O. Box 537901
Lovinia, MI 48153-7901


Julie A. Dolman

Subscribed and sworn to before me this 17th day of August, 2004.

Notarial Stamp or Seal




Notary Public